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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/699,800      | 11/04/2003  | Bruno Grabenstaetter | Q78086              | 4018             |

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EXAMINER

NGUYEN, QUYNH H

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2614     |              |

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/699,800 | <b>Applicant(s)</b><br>GRABENSTAETTER ET AL |  |
|                              | <b>Examiner</b><br>Quynh H. Nguyen   | <b>Art Unit</b><br>2614                     |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on RCE, amendment, and remarks filed 3/20/0.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed 3/20/06 has been entered. Claims 1, and 11-12 have been amended. No claims have been cancelled. No claims have been added. Claims 1-12 are still pending in this application, with claims 1 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
4. Claims 1 and 11-12 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for "collecting routing information related to the identification code of the caller, after entering said code at the caller's terminal..." does not reasonably provide enablement for means for storing or database. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims. The specification does not have enough information describe as how to get the information for displaying, does not mention about real-time and dynamically.

Art Unit: 2614

Applicant's specification does not support the limitations recited in claims 11 and 12 "routing information is collected in real-time" and "routing information related to the identification code of the callee terminal is not previously stored". For example, in Applicant's specification page 3, Applicant stated, "...various information can be displayed, upon programming, at the caller's end.... Alternatively, the information displayed at the caller's end can comprise the identification of all the terminals and/or other intermediate telecommunication devices which would be involved in the telecommunication link ...". Therefore, the displayed information such as routing information is programmed or previously stored and not being collected in real-time.

Regarding claims 11 and 12, Examiner maintains the 112, first paragraph rejection for the following reasons: Examiner disagrees with Applicant's remark as to page 4 of specification stated that "where a caller A can be dynamically informed (in real-time) of the different destinations of his/her call signal". Numbers B and D are previously stored, the example shows call forwarding which requires stored current status of the callee, for example, active or deactivate call forwarding and also retrieving previously stored call forwarding numbers. The specification does not state "dynamically" or "real-time".

Claim 12 recites limitation "said real-time routing information related to the identification code of the callee terminal is not previously stored", there is no support in the specification for this recited limitation. There is nowhere in the specification stating means for storing or database, real-time or non real-time.

***Claim Rejections - 35 USC § 102***

5. Claims 1, and 6-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Carlsen (U.S. Patent 5,509,062).

**As to claim 1**, Carlsen teaches method of performing a telecommunication, in a telecommunication system between a caller terminal (Fig. 1 - *intelligent terminal 101-1*) and a callee terminal (*subscriber's terminal does not show*) identified by and identification code (*dialed number*) (col. 6, lines 58-63), said method comprising:

initiating an operation of collecting real-time routing information (col. 6, line 58 through col. 7, line 27 - *where Carlsen discussed collecting real-time routing information as a call is placed or user dials the digits*) from a previously stored data (*stored destination number*), from the telecommunication system, related to the identification code of the callee (*subscriber*), after enter said identification code at the caller's terminal (col. 6, lines 58-63) and before one of activating the telecommunication and establishing the telecommunication link (col. 2, lines 18-23 and col. 7, lines 13-22);

displaying at least a part of said collected routing information at the caller's terminal (col. 7, lines 22-23); and

**one of** activating the telecommunication in order to establish the telecommunication link (see abstract - *let the call complete*) corresponding to the identification code and canceling the current attempt to establish the telecommunication link based on said dialed identification code (col. 7, lines 23-25).

Furthermore, dependent claim 11 is supposed to further / narrow the limitation of independent claim 1 and it recites "said real-time routing information is collected in real-

Art Unit: 2614

time". Independent claim has broader limitation than dependent claim 11. Hence, since "collecting real-time routing information" in claim 1 is broad and could be interpreted as collecting real-time or non real-time routing information because dependent claim 11 narrow / limit to real-time collected information. Even if one would interpret claim 1 as collecting real-time routing information, prior art Carlsen still reads on claims invention.

**As to claim 6**, Carlsen teaches the information displayed at the caller terminal comprises information related to the callee terminal (col. 7, lines 22-23 - *stored destination number*).

**As to claim 7**, Carlsen teaches the information displayed at the caller terminal comprises **at least one of** identification of all the terminal(s) and other intermediate telecommunication device(s) which would be involved in the telecommunication link (Figs. 6 and 7; col. 7, lines 23-25) if a dialed telecommunication is activated, and their respective status and their mutual connections and relationships.

**As to claim 8**, Carlsen teaches telecommunication terminal comprising a visual and/or audio display means and adapted to perform the method according claim 1 (Fig. 2, display 215).

**As to claim 9**, Carlsen teaches telecommunication system able to link together a plurality of telecommunication terminals having a visual and/or audio display means (Fig. 1, 101-1 and 101-2), said system comprising one telecommunication network adapted for connection with one or several other telecommunication network(s) (Fig. 1, 126 and 128), and managed by a corresponding network controller (Fig. 1, 121),

Art Unit: 2614

wherein said telecommunication terminals and said telecommunication system are further adapted to perform the method according claim 1.

**As to claim 10**, Carlsen teaches the information related to the called terminal comprises **at least one of** identification of the other end terminal which would be actually involved in establishing the telecommunication link if said dialed telecommunication is activated (col. 7, lines 22-23 - *stored destination number*), **and** a person to whom said another end terminal belongs.

**As to claim 11**, Carlsen teaches said real-time routing information is collected in real-time (col. 6, line 58 through col. 7, line 27 - *where Carlsen discussed collecting real-time routing information as a call is placed or user dials the digits*).

### ***Claim Rejections - 35 USC § 103***

6. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlsen (U.S. Patent 5,509,062) in view of Wu (U.S. Patent 6,442,266).

**As to claim 2**, Carlsen does not teach a concern dialed telecommunication is activated by a further action performed on said caller terminal.

Wu teach a concern dialed telecommunication is activated by a further action performed on said caller terminal (Fig. 5c, 77 and 80 and col. 1, lines 59-61 and col. 4, lines 39-41).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of activating the telecommunication by an action performed on said caller terminal, as taught by Wu, in Carlsen's system in order

Art Unit: 2614

to provide callers to send enabling signal to establish the telecommunication link whereby reducing waiting time by establishing the telecommunication link before the end of time delay period.

**As to claim 3**, Wu teaches a concern dialed telecommunication is activated by further pressing a determined key on the caller terminal (col. 2, lines 54-60).

**As to claim 4**, Carlsen does not teach a concern dialed telecommunication is automatically activated after a predetermined time following dialing.

Wu teaches a concern dialed telecommunication is automatically activated after a predetermined time following dialing (col. 4, lines 34-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made incorporate the feature of automatically activated after a given timer, as taught by Wu, in Carlsen's system in order to have a sufficient and user-friendly system by automatically activating or canceling the telecommunication link in the event that the caller forgets to keys in his or her choice.

**As to claim 5**, Carlsen does not teach a concerned dialed telecommunication is automatically cancelled in the absence of any further action performed on said caller terminal during a predetermined time after dialing.

Wu teaches a concern dialed telecommunication is automatically cancelled (*inhibited*) if the calling party number matches a number on the list (col. 1, line 53 through col. 2, line 3). However, Wu also does not teach a concerned dialed telecommunication is automatically cancelled in the absence of any further action performed on said caller terminal during a given timeout after dialing.



It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of automatically canceling the telecommunication link in the absence of any action performed by the caller terminal during a given timeout, in Carlsen's system in order to have a sufficient and user-friendly system by automatically activating or canceling the telecommunication link in the event that the caller forgets to keys in his or her choice.

### ***Response to Arguments***

7. Applicant's arguments filed 3/20/06 have been fully considered but they are not persuasive. Applicant's arguments are addressed in the above claims rejections.

Applicant argues that the applied references do not disclose "initiating an operation of collecting real-time routing information,...". Examiner respectfully disagrees. Carlsen teaches retrieving / collecting in real time routing information when a call is placed or user dialed the digits (abstract; col. 6, line 58 through col. 7, line 27).

Applicant argues that the applied references do not disclose collecting routing information that is dynamically refreshed at the moment that the call is being placed (i.e., collecting real-time information). Examiner respectfully submits that there is nowhere in the specification stating dynamically or real-time.

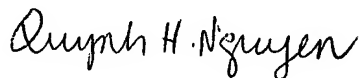
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-

Art Unit: 2614

7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 5:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen

May 30, 2006